



# MONTHLY HIGHLIGHTS

NOAA  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
HABITAT CONSERVATION DIVISION

**SEPTEMBER 1999**

**GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930**

## **ESSENTIAL FISH HABITAT (EFH) WORKSHOP**

HCD staff participated in a two day NMFS - Fishery Management Council workshop. The workshop brought together NMFS EFH and Science Center staff as well as Council staff from all regions. The workshop focused on refining and updating designations for EFH and Habitat Areas of Particular Concern (HAPC), research needed to better understand fish utilization of habitats and the impacts of fishing gear on EFH. Other topics included implementation of EFH consultation requirements and coordination between NMFS and the Councils on non-fishing EFH consultations. (Lou Chiarella, 978/281-9277)

## **ARGILLA ROAD SALT MARSH RESTORATION**

The first season of post-restoration monitoring at the Argilla Road salt marsh restoration project is almost complete. Last fall at Argilla Road in Ipswich, Massachusetts, an existing 32-inch culvert was replaced by an eight-foot wide by five-foot high concrete box culvert. This project was partially spearheaded from the NMFS' Community Based Restoration Program and included a partnership with the Town of Ipswich and the Natural Resource Conservation Service. The upstream salt marsh (approximately 20 acres) has significantly been cut off from normal tidal flows for over 100 years and has been encroached by phragmites vegetation throughout. More importantly, the mean-high-tide level in the upstream marsh was about 18 inches below the downstream unrestricted marsh and thereby excluded water (and small marsh fish) from reaching literally acres of the degraded wetland. Preliminary monitoring data and observations depict a salt marsh that is quickly regaining its historic functions and values. Much of the phragmites is stunted or dead altogether. Salicornia (salt marsh pioneer species) is now growing at the base of these phragmites. Of even more significance is the literally acres of marsh area that are providing restored habitat for marsh minnows (mummichogs) due to the raised daily tide level. Detailed analysis of the monitoring data will be available later in the winter. (Eric Hutchins, 978/ 281-9313 or John Catena, 978/ 281-9251)

## **COASTSWEEP '99**

On September 25 Habitat Conservation Division staff helped coordinate the 1999 beach cleanup

on Cressy's beach in Gloucester. This beach cleanup is part of COASTSWEEP, an international effort to remove trash and other marine debris. The Massachusetts coastal cleanup, celebrating its twelfth year, has helped identify and remove debris that can endanger wildlife and destroy habitat, as well as threaten human health and safety. This year 12 volunteers removed 118 lbs. of trash. Anyone interested in participating in the year 2000 cleanup may contact **Jill Ortiz at 978/ 281-9312.**

### **NEW BEDFORD HARBOR TRUSTEE COUNCIL - REQUEST FOR RESTORATION IDEAS**

The Trustee Council, which oversees restoration of the New Bedford Harbor Superfund Site, recently held a second request for restoration ideas. A total of 35 ideas requesting approximately \$35 million were received. The ideas are undergoing technical and legal review and will be released for public review and comment. The ideas are the first step towards implementation of projects to restore natural resources injured by the release of polychlorinated biphenyls (PCB) into the Acushnet River and New Bedford Harbor. The Trustee Council has targeted up to \$8 million for projects in this round. Eleven projects and studies worth approximately \$4.2 million were previously approved and are being implemented from the Council's first request for restoration ideas. The Council is working with approximately \$23 million resulting from a settlement from the companies responsible for the release. **(Jack Terrill, 978/ 281-9136 or Jack.Terrill@NOAA.GOV)**

### **JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732**

### **HACKENSACK MEADOWLANDS SPECIAL AREA MANAGEMENT PLAN (SAMP)**

The SAMP Environmental Impact Statement (EIS) Subcommittee has met somewhat irregularly this month as the lead agencies tried to refine what will be proposed as the preferred alternative in the final EIS. The proposed fill for several projects, including the New Jersey Turnpike widening, has been reduced, and the cap proposed in the February Federal Register Notice remains unchanged. Resolution on the out-of-district alternatives analysis and enforceable coastal zone management policies for public projects which are outside of the Hackensack Meadowlands Development Commission zoning authority has not been achieved, but discussions are on-going. **(Karen Greene, 732/ 872-3023 or Stan Gorski, 732/ 872-3037)**

### **MEADOWLANDS INTERAGENCY MITIGATION ADVISORY COMMITTEE**

The highlight of September's MIMAC meeting was a presentation by Marsh Resources, Inc. on their mitigation bank in the Hackensack Meadowlands. Documentation was provided to the group in support of additional credit release for establishing the hydrologic regime and for the completion of successful planting on Phase I in accordance with their banking instrument. The total credits requested for release is 50 acres. Site photos indicate that the plantings have been successful and that daily tidal inundation has been established. A site visit will be scheduled before any final recommendation is made by the group. **(Karen Greene, 732/ 872-3023)**

## **PORT IMPERIAL/NEW YORK WATERWAYS**

Following an interagency meeting held in August, HCD staff attended a site visit this month at the New York Waterways existing ferry terminal in Weehawken. Representatives of state and federal agencies toured the existing terminal, the site of the proposed terminal and light rail station and rode the ferry across from New Jersey to New York and back. The proposed terminal, the planned upland development and information needs were discussed, as well as a draft scope of work for the environmental assessment (EA) and a schedule for its completion. We have several serious concerns about the proposed dredging and large pile supported terminal which will need to be addressed in the EA for this project. **(Karen Greene, 732/ 872-3023)**

## **NJDOT-MERCER COUNTY IMPROVEMENT AUTHORITY**

A revised plan has been developed for the dock structures at the waterfront park in Trenton, NJ which will minimize impacts to the Delaware River. Concerns have been centered around the total length, the extreme widths that were deemed necessary for safety reasons, the impacts from increased boat traffic and their effects on shallow water habitat. The 8-foot by 420-foot seasonal floating fishing dock will be constructed as proposed; but the 1,220 feet of seasonal floating dock that would have 12 and 20-foot wide sections, and which would be used as a pedestrian promenade and for mooring 60 boats, has been reduced to 580-feet of dock and a 23 boat mooring capacity. **(Anita Riportella, 732/ 872-3116)**

## **ATT/SPRINT-TAT 14**

An application is being reviewed for the installation of a Trans-Atlantic fiber optic telecommunications cable by the hydro-plow and directional drill method. The cable would extend from Tuckerton, NJ through an existing conduit in uplands, would be buried to a depth of four feet under 4,825 feet of salt marsh, and then buried four feet under 12,732 feet of Little Egg Harbor Bay (except for six feet under the Intracoastal Waterway). The cable would then be “directionally drilled” under Long Beach Island and then “hydro-plowed” to a depth of four feet extending out to the edge of the continental shelf. Another segment would be “directionally drilled” for 2000 feet from Sea Girt and then buried by hydro-plow into the Atlantic Ocean out to the continental shelf. Concerns include impacts to *Spartina* in the salt marsh, eelgrass *Zostera marina* in the bay and surf clams *Spisula solidissima* in the ocean. **(Anita Riportella, 732/ 872-3116)**

## **NEW YORK HARBOR DREDGED MATERIAL MANAGEMENT ISSUES**

Stan Gorski attended the Dredged Material Management Interagency Working Group (DMMIWG) on September 1 in New York City. The major topic on the agenda was a discussion of the August 1999 letters to Brad Campbell of CEQ and to Bob Shinn/John Cahill, NJDEP and NYDEC Commissioners, respectively. The letters propose a near-term, three-year, \$60 million program of acquisition and restoration projects in the Lower Estuary. They also propose a longer-term assessment that would be tied into the ACOE reconnaissance study. In terms of funding of the federal share of \$30 million over three years, one possibility discussed was to seek WRDA 2000 funding. **(Stan Gorski, 732/ 872-3037)**

**MILFORD, CT OFFICE, 212 ROGERS AVENUE, MILFORD, CT 06460**

**FERC ISSUES LICENSE FOR HOLYOKE HYDROELECTRIC PROJECT**

On August 20, 1999, the Federal Energy Regulatory Commission (FERC) filed an *Order Issuing New License and Denying Competing License Application* for the subject project. The order issues a new 40-year license to the Holyoke Water Power Company (Northeast Utilities subsidiary) for the existing Connecticut River Hydroelectric Project. On September 17, 1999, NMFS filed a Request for Rehearing of the Order on the grounds that FERC: 1) failed to include, as a condition of the license, portions of the Secretary of Commerce's Prescription for Fishways, submitted pursuant to Section 18 of the Federal Power Act; 2) attempts to restrict the Secretary's ability to prescribe fishways by establishing a definition for fishways which prohibits zone of passage flows and generation restrictions to be used for the purposes of fish passage; and 3) issues a license for the project without completing the consultation process under the Endangered Species Act (ESA) for the federally listed endangered shortnose sturgeon, and without receipt of an Incidental Take Statement from the NMFS to authorize "takes" of shortnose sturgeon at the project. (Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov)

**JUDGE RENDERS SEAWOLF DECISION**

The primary issues surrounding the Navy dredging project to permit access to the Groton Sub Base in New London, CT appear to have met closure. The judge hearing the matter recently issued findings that largely supported the federal position on this matter, which pitted together parties with different views on the dredging and disposal proposal from across the region. (Michael Ludwig, 203/ 579-7004; Michael.Ludwig@noaa.gov)

**MILFORD LABORATORY OPEN HOUSE A SUCCESS**

HCD staff participated in the Open House hosted by the Milford Laboratory September 24-25, 1999. The event featured opportunities for the public to view the facilities, ask questions about the research the Laboratory staff are engaged in and issues related to habitat conservation and protected resources. US Congresswoman DeLauro, State Congressman Win Smith and local media were among those in enthusiastic attendance. (Michael Ludwig, Cori M. Rose or Diane Rusanowsky, 203/ 579-7004; Michael.Ludwig@noaa.gov; Cori.M.Rose@noaa.gov; Diane.Rusanowsky@noaa.gov)

**POTTERS POND SECTION 206 AQUATIC RESTORATION PROJECT**

Potters Pond is one of many shallow coastal lagoons on the South Shore of Rhode Island which is separated from the ocean by a barrier spit. Over the years human uses, such as breachway construction and residential/commercial development, has dramatically altered the ecology of the coastal ponds. Today there is mounting pressure to both increase water circulation and flushing in the coastal ponds to ameliorate high levels of bacterial contamination and symptoms of eutrophication, and stabilize the naturally dynamic barrier beach environment by rebuilding beaches and stalling coastal erosion processes along waterfront property. In response to requests from waterfront property owners a *Preliminary Restoration Plan* (PRP) for beach nourishment along Matunuck Beach was completed by the Army Corps of Engineers (ACOE), and \$500,000 dollars were congressionally allocated for the activity under Section 206 of the Water Resources

Development Act. An eight acre overwash bar in Potters Pond was identified as the source of the beach nourishment material. NMFS' Milford staff has expressed significant concern with the proposal because: 1) the basic project purpose appears to be nourishment of private beaches along the Matunuck shoreline, not ecological restoration of Potters Pond; 2) the ACOE has not demonstrated, as required, how the project would improve the quality of the environment; 3) a traditional reconnaissance or feasibility study has not been completed for the project; 4) an inventory of existing aquatic habitats within the project area has not been completed; and 5) the ACOE has addressed how dredging of the overwash platform would impact the existing hydrologic and sedimentation patterns in the pond and how such changes could, in turn, adversely impact the aquatic habitat of this area. (**Cori M. Rose, 203/ 579-7004 or Cori.M.Rose@noaa.gov**)

### **REGIONAL COMMENTS FOR NATIONWIDE PERMITS**

Staff has continued to participate in attempts to develop Regional Conditions for the ACOE's Nationwide Permits Program (NWP). This activity pertains to review of several proposed and certain modified existing NWPs that may be used to authorize projects in a variety of areas, notably the geographic jurisdiction of the New York, Buffalo and Philadelphia ACOE Districts. Our consultations will culminate in lists of special conditions for some of the NWPs, potential revocation of certain permits by water body or similar exclusionary model, and other management practices designed to minimize the direct, indirect and cumulative impacts of NWPs to species and habitats of concern. In all likelihood, the final negotiations will include EFH and ESA Section 7 consultations as products of the same effort. (**Diane Rusanowsky, 203/ 579-7004 or Karen Greene, 732/ 872-3023; Diane.Rusanowsky@noaa.gov; Karen.Greene@noaa.gov**)

### **CONSERVATION AND PROTECTION OF MARINE ECOSYSTEMS**

As part of a long term training assignment, staff is engaged in reviewing and evaluating conservation and management strategies for coastal marine ecosystems around the world. The project will include review of case studies that consider resource use and conservation efforts, conflicting uses and attempts at resolution, including ecosystem, marine/estuarine sanctuary and adaptive management. (**Diane.Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov**)

### **COORDINATION WITH FEMA**

Staff has completed coordination with the Federal Emergency Management Agency (FEMA) on a flood control project in Glen Cove, Long Island, New York. Project review culminated in Section 7 and EFH consultations pursuant to the ESA and 1996 Sustainable Fisheries Act. Additional briefings will be necessary in the coming weeks to ensure that FEMA staff is fulfilling their new EFH obligations. Insufficient staffing levels to sustain these reviews remain a concern, particularly in New Jersey, New York, Connecticut and Rhode Island, where multiple species and life stages are likely to be present in most near-coastal reaches. (**Diane.Rusanowsky or Cori M. Rose, 203/ 579-7004, Karen Greene or Anita Riportella, 732/ 872-3000; Diane.Rusanowsky@noaa.gov; Cori.M.Rose@noaa.gov; Karen.Greene@noaa.gov; Anita.Riportella@noaa.gov**)